

EXHIBIT A
(Proposed Order)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

FIRESTAR DIAMOND, INC., *et al.*

Debtors.

Chapter 11

No. 18-10509 (SHL)

(Jointly Administered)

RICHARD LEVIN, Chapter 11 Trustee of
FIRESTAR DIAMOND, INC., FANTASY, INC.,
and OLD AJ, INC. f/k/a A. JAFFE, INC.,

Plaintiff,

v.

NIRAV DEEPAK MODI, MIHIR BHANSALI,
and AJAY GANDHI,

Defendants.

Adv. Proc. No. 19-1102 (SHL)

**[PROPOSED] ORDER DENYING (I) DEFENDANTS' MOTIONS TO DISMISS FIRST
AMENDED COMPLAINT; AND (II) DEFENDANT MIHIR BHANSALI'S MOTION FOR
RULE 11 SANCTIONS OR TO STRIKE CERTAIN PLEADINGS**

Before the Court are: (1) Defendant Ajay Gandhi's *Motion to Dismiss First Amended Adversary Complaint* (Adv. Dkt. 36); (2) Defendant Mihir Bhansali's *Motion to Dismiss First Amended Adversary Complaint* (Adv. Dkt. 38); (3) Defendant Nirav Deepak Modi's *Motion to Dismiss First Amended Complaint* (Adv. Dkt. 42); and (4) Defendant Mihir Bhansali's *Motion for Rule 11 Sanctions or to Strike Certain Pleadings* (Adv. Dkt. 59) (collectively, the "Motions").

The Court has jurisdiction over this adversary proceeding under 28 U.S.C. § 1334. This adversary proceeding is a core proceedings under 28 U.S.C. § 157(b)(2). The Court has reviewed the Motions and the briefs filed in support of and in opposition to the Motions, has held a hearing on the Motions on April 30, 2020, and has determined for the reasons set forth in the *Memorandum*

of Decision issued on October 15, 2021 (Adv. Dkt. 69) that the legal and factual bases set forth in the Motions do not establish just cause for the relief requested therein.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Each of the Motions is DENIED for the reasons stated in the *Memorandum of Decision*.
2. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

IT IS SO ORDERED.

Dated: New York New York
_____, 2021

SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE